

AMENDED IN SENATE MAY 28, 2013

AMENDED IN SENATE APRIL 11, 2013

SENATE BILL

No. 672

Introduced by Senator Leno

February 22, 2013

An act to add Section 18901.1 to the Welfare and Institutions Code, relating to CalFresh.

LEGISLATIVE COUNSEL'S DIGEST

SB 672, as amended, Leno. CalFresh: eligibility: guidelines.

Existing federal law provides for the federal Supplemental Nutrition Assistance Program (SNAP), under which nutrition assistance benefits are allocated to each state by the federal government. Under existing state law, the CalFresh program, California's federal allocation is distributed to eligible individuals by each county. Existing law requires that the eligibility of households be determined to the extent permitted by federal law, and requires the State Department of Social Services to establish a program of categorical eligibility for CalFresh in accordance with federal law. Existing law requires each county welfare department to carry out the local administrative responsibilities of this program, subject to the supervision of the department and to rules and regulations adopted by the department.

This bill would require the department to issue guidance to simplify the verification of ~~earned income and dependent care for purposes of verifying~~ *expense* deductions necessary to determine eligibility for, or the benefit level of, CalFresh, to the extent permitted by federal law. ~~The bill would require that the guidance include certain requirements, including that a county that uses an electronic database for earned income verification inform applicants and recipients of their right, if~~

~~any, to request a copy of their electronic employment and wage data maintained in the database and to correct errors in the database, as specified. By requiring the department to issue guidance that would impose new duties on counties that administer CalFresh, this bill would impose a state-mandated local program. The bill would require that the guidance establish that dependent care expenses shall be considered verified upon receipt of a self-certified statement of monthly expenses, unless federal law requires, or the county human services agency requests, additional documentation, as specified.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~-no.

The people of the State of California do enact as follows:

1 SECTION 1. It is the intent of the Legislature to support an
2 increase in CalFresh benefits for low-income working families by
3 using state options, including the option provided in Section 273.2
4 of Title 7 of the Code of Federal Regulations, to increase eligibility
5 for families by simplifying the verification of dependent care ~~and~~
6 ~~wages. It is also the intent of the Legislature to educate applicants~~
7 ~~for and recipients of CalFresh of their rights to receive a report~~
8 ~~and to correct errors in a report issued by a federally regulated~~
9 ~~reporting agency when the services of that agency are purchased~~
10 ~~by the state or a county human services agency to determine~~
11 ~~eligibility or benefit level for CalFresh expenses.~~

12 SEC. 2. Section 18901.1 is added to the Welfare and
13 Institutions Code, to read:

14 18901.1. (a) The department shall issue guidance to simplify
15 the verification of ~~earned income and dependent care for purposes~~
16 ~~of verifying expense~~ deductions necessary to determine eligibility
17 for, or the benefit level of, CalFresh, to the extent permitted by
18 federal law. The guidance shall ~~require all of the following:~~

1 ~~(a) Dependent~~ *establish that dependent* care expenses shall be
2 considered verified upon receipt of a *self-certified* statement of
3 monthly expenses ~~that includes the federal taxpayer identification~~
4 ~~number of the dependent care provider or other form of verification~~
5 ~~allowed by federal law, unless federal law or guidance requires~~
6 ~~additional documentation.~~

7 *(b) This section shall not preclude the county human services*
8 *agency from requesting additional documentation to verify a*
9 *dependent care expense deduction if the verification received is*
10 *questionable.*

11 ~~(b) If a county uses an electronic database for earned income~~
12 ~~verification to determine eligibility, the county shall do both of~~
13 ~~the following:~~

14 ~~(1) Use the electronic data to verify income instead of requiring~~
15 ~~paper verification at the time of application or reapplication for~~
16 ~~benefits.~~

17 ~~(2) Inform applicants and recipients of their right, if any, to~~
18 ~~request a copy of their electronic employment and wage data~~
19 ~~maintained in the database and to correct errors in the database.~~
20 ~~This notice shall be provided when the information in the database~~
21 ~~is used to determine eligibility or benefit level or to verify income~~
22 ~~at any time.~~

23 ~~SEC. 3. If the Commission on State Mandates determines that~~
24 ~~this act contains costs mandated by the state, reimbursement to~~
25 ~~local agencies and school districts for those costs shall be made~~
26 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
27 ~~4 of Title 2 of the Government Code.~~